Ent 390366 Page 1 of 13
Date: 07-MAY-2008 11:16AM
Fee: None
Filed By: DKS
DIXIE SWASEY, Recorder
EMERY COUNTY CORPORATION
For: GOVERNOR/STATE OF UTAH

Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Emery County as it pertains to the highway located in Emery County known as GEORGE'S DRAW ROAD; County Road Number: 336; State Geographic Information Database (SGID) Road Identification Number: RD080173. Total road length is 2.08 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 21 st day of April , 2008.

By the Governor's Designee

CERTIFICATION

State of Utah : SS County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

> NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg

Dated this <u>21</u> st day of <u>April</u>, 200 S.

<u>Pamela</u> J. <u>Blackham</u>

Notary Public

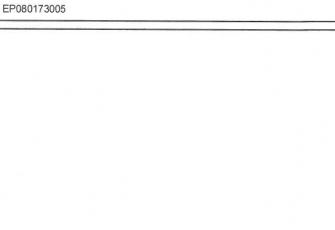
Attachment 2











EP000000000

EP000000000



Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 February 1, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: GEORGE'S DRAW ROAD

County: Emery

County Road Number: 336

State Geographic Information Database (SGID) Road Identification Number: RD080173.

Total Road Length: 2.08 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 49 minutes 04.38 seconds North Latitude and -110 degrees 46 minutes 10.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,848,516.9 feet and Y = 6,739,012.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 49 minutes 11.06 seconds North Latitude and -110 degrees 44 minutes 016.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,857,531.6 feet and Y = 6,739,763.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 10 East, Section(s) 13,14, Salt Lake Base & Meridian Township 23 South Range 11 East, Section(s) 18, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: GEORGE'S DRAW ROAD

County: Emery

County Road Number: 336

State Geographic Information Database (SGID) Road Identification Number: RD080173.

Total Road Length: 2.08 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD_ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD080173	001	BLM	2.08 Miles	A
		Total Road Length	2.08	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF LAMOND GARDNER GEORGE'S DRAW ROAD EMERY COUNTY, UTAH

ROAD NUMBER 336

State of Utah)
	: ss.
County of Emery)

LAMOND GARDNER, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Cleveland, Emery County, Utah. I have lived in
 Emery County for my entire life.
- 2. I have traveled and am familiar with a road in Emery County known as George's Draw Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2001 when I last observed it. Attached is an Emery County map showing George's Draw Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- 3. I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1950s and continuing through 1976 to 2001. Throughout this time period I have observed travel on the road by means of pickup trucks, recreational vehicles. Throughout the time period, the road has been used daily for more than ten continuous years prior to 1976 and is presently used daily.

- 5. Throughout the time period from the early 1950s to 2000, I have used the road myself for verifying water rights, recreation and traveling in and through the area.
- 6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus rock hounding, oil and gas exploration, tourism, hunting and government access.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
 - 8. Prior to 1976, I personally observed the graded surface of the road.

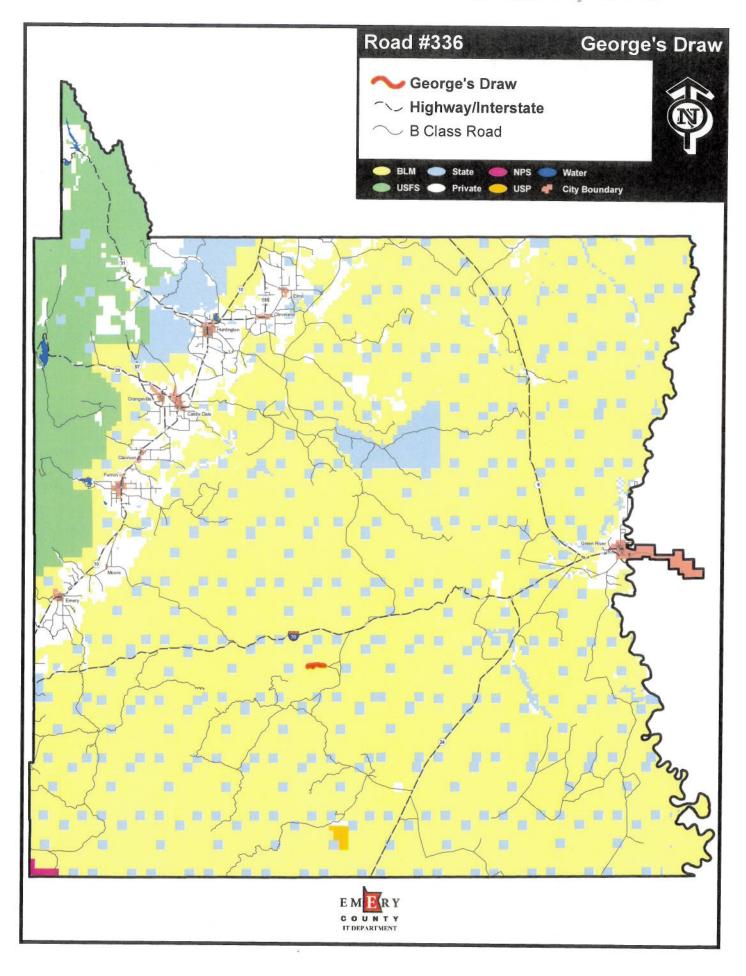
DATED this ____ day of March, 2007.

LAMOND GARDNER

SUBSCRIBED AND SWORN to before me this _9 to day of March, 2007.

Notary Public GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PLIBLIC



AFFIDAVIT OF LEE SWASEY GEORGE'S DRAW ROAD EMERY COUNTY, UTAH ROAD NUMBER 336

State of Utah)	
	: SS	
County of Emery)	

LEE SWASEY, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Ferron, Emery County, Utah. I have lived in
 Emery County for my entire life.
- 2. I have traveled and am familiar with a road in Emery County known as George's Draw Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2007 when I last observed it.

 Attached is a Emery County map showing the George's Draw Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and is presently used weekly.

- 5. Throughout the time period from the early 1960s to 2007, I have used the road myself for hunting, sight seeing and livestock operations.
- 6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: mining and government access
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
 - 8. Prior to 1976, I personally observed the graded surface of the road.

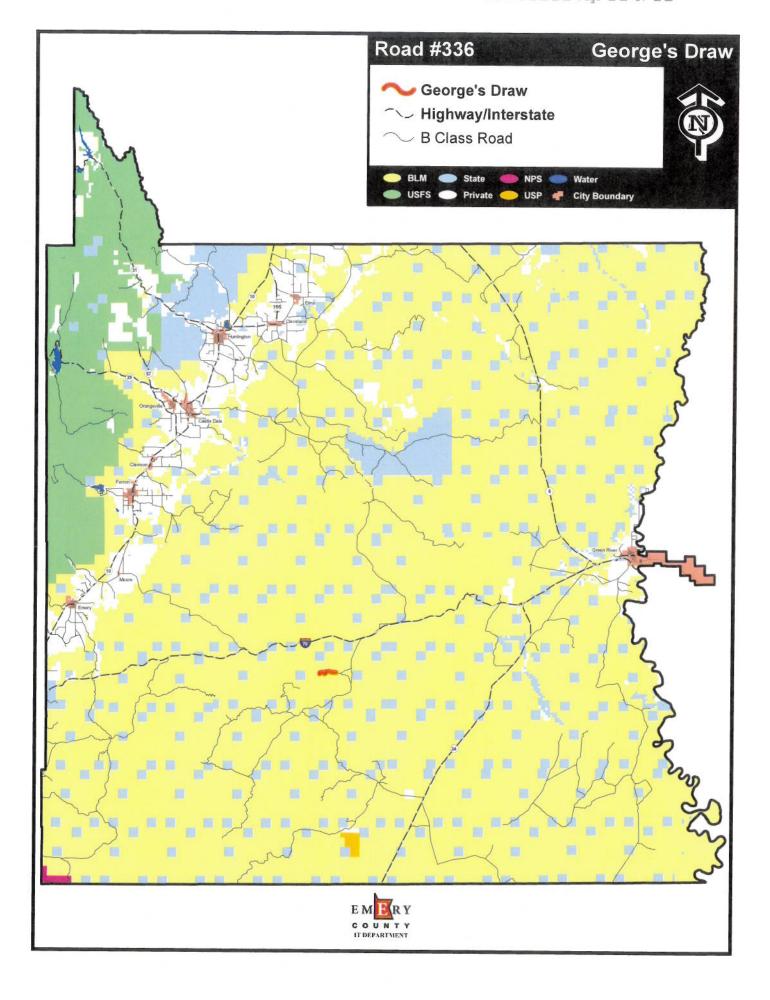
DATED this _____ day of March, 2007.

LEE SWASEY

SUBSCRIBED AND SWORN to before me this _____ day of March, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



Appendix A to Attachment 4

Popular Name: GEORGE'S DRAW ROAD

County: Emery

County Road Number: 336

State Geographic Information Database (SGID) Road Identification Number: RD080173.

Road-Segment Number: 001

Road-Segment Length: 2.08 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 23 South Range 10 East, Section(s) 13,14, Salt Lake Base & Meridian Township 23 South Range 11 East, Section(s) 18, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (GEORGE'S DRAW ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 49 minutes 04.38 seconds North Latitude and -110 degrees 46 minutes 10.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,848,516.9 feet and Y = 6,739,012.6 feet; thence the following courses along the said road center line:

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thence North 19 Degrees 35 Minutes 13 Seconds East 44.3 feet thence North 16 Degrees 58 Minutes 23 Seconds East 78.4 feet thence North 12 Degrees 34 Minutes 44 Seconds East 76.4 feet thence North 03 Degrees 57 Minutes 56 Seconds East 92.2 feet thence North 02 Degrees 44 Minutes 46 Seconds East 104.2 feet thence North 07 Degrees 07 Minutes 21 Seconds West 85.9 feet thence North 10 Degrees 29 Minutes 58 Seconds East 22.7 feet thence North 36 Degrees 32 Minutes 47 Seconds East 4.9 feet thence North 41 Degrees 48 Minutes 50 Seconds East 37.2 feet thence North 60 Degrees 43 Minutes 20 Seconds East 109.2 feet
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thence North 66 Degrees 17 Minutes 44 Seconds East 108.4 feet
thence North 71 Degrees 27 Minutes 14 Seconds East 84 feet
thence North 70 Degrees 19 Minutes 03 Seconds East 51.5 feet
thence North 70 Degrees 18 Minutes 17 Seconds East 76.2 feet
thence North 77 Degrees 04 Minutes 51 Seconds East 91.8 feet
thence North 89 Degrees 10 Minutes 41 Seconds East 75.5 feet
thence South 88 Degrees 53 Minutes 54 Seconds East 66 feet
thence North 89 Degrees 02 Minutes 48 Seconds East 89.6 feet
thence North 85 Degrees 47 Minutes 52 Seconds East 58.2 feet
thence North 83 Degrees 38 Minutes 47 Seconds East 46.9 feet
thence North 82 Degrees 33 Minutes 05 Seconds East 13.2 feet
thence North 80 Degrees 29 Minutes 15 Seconds East 67.8 feet
thence North 75 Degrees 27 Minutes 14 Seconds East 73.5 feet
thence North 75 Degrees 35 Minutes 31 Seconds East 94.4 feet
thence North 76 Degrees 49 Minutes 43 Seconds East 76.8 feet
thence North 73 Degrees 56 Minutes 08 Seconds East 88.3 feet
thence North 74 Degrees 19 Minutes 19 Seconds East 83.1 feet
thence North 73 Degrees 24 Minutes 58 Seconds East 41 feet
thence North 66 Degrees 52 Minutes 47 Seconds East 73.7 feet
thence North 58 Degrees 35 Minutes 30 Seconds East 80.1 feet
thence North 70 Degrees 47 Minutes 06 Seconds East 91.2 feet
thence North 77 Degrees 23 Minutes 38 Seconds East 91 feet
thence South 75 Degrees 17 Minutes 08 Seconds East 91.1 feet
thence South 41 Degrees 42 Minutes 19 Seconds East 99.3 feet
thence South 28 Degrees 43 Minutes 14 Seconds East 105.6 feet
thence South 33 Degrees 18 Minutes 33 Seconds East 103.7 feet
thence South 51 Degrees 56 Minutes 51 Seconds East 72.4 feet
thence South 51 Degrees 49 Minutes 01 Seconds East 57.5 feet
thence South 78 Degrees 51 Minutes 40 Seconds East 72.7 feet
thence South 72 Degrees 05 Minutes 02 Seconds East 91.2 feet
thence South 66 Degrees 55 Minutes 56 Seconds East 76.9 feet
thence South 63 Degrees 22 Minutes 16 Seconds East 21.7 feet
thence South 65 Degrees 32 Minutes 54 Seconds East 9.4 feet
thence South 63 Degrees 35 Minutes 20 Seconds East 49.6 feet
thence South 57 Degrees 12 Minutes 05 Seconds East 64.3 feet
thence South 60 Degrees 53 Minutes 46 Seconds East 73.5 feet
thence North 89 Degrees 40 Minutes 35 Seconds East 58.8 feet
thence South 61 Degrees 20 Minutes 20 Seconds East 52.2 feet
thence South 29 Degrees 53 Minutes 41 Seconds East 67.2 feet
thence South 04 Degrees 27 Minutes 20 Seconds East 86.5 feet
thence South 02 Degrees 44 Minutes 46 Seconds East 85.4 feet
thence South 04 Degrees 29 Minutes 38 Seconds East 63.2 feet
thence South 10 Degrees 42 Minutes 19 Seconds East 43.7 feet
thence South 31 Degrees 37 Minutes 39 Seconds East 28.4 feet
thence South 73 Degrees 34 Minutes 04 Seconds East 31.9 feet
thence North 42 Degrees 55 Minutes 16 Seconds East 83.4 feet
thence North 15 Degrees 19 Minutes 07 Seconds East 110.8 feet
thence North 17 Degrees 53 Minutes 13 Seconds East 106.1 feet
thence North 21 Degrees 49 Minutes 17 Seconds East 91.4 feet
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thence North 48 Degrees 27 Minutes 59 Seconds East 73.7 feet
thence North 66 Degrees 04 Minutes 34 Seconds East 36.9 feet
thence North 56 Degrees 55 Minutes 39 Seconds East 83.1 feet
thence North 43 Degrees 47 Minutes 29 Seconds East 120.2 feet
thence North 42 Degrees 01 Minutes 14 Seconds East 125.2 feet
thence North 35 Degrees 45 Minutes 23 Seconds East 104.8 feet
thence North 29 Degrees 55 Minutes 58 Seconds East 68.4 feet
thence North 36 Degrees 54 Minutes 40 Seconds East 113.4 feet
thence North 35 Degrees 38 Minutes 03 Seconds East 119.6 feet
thence North 34 Degrees 18 Minutes 30 Seconds East 94.1 feet
thence North 40 Degrees 53 Minutes 10 Seconds East 73.7 feet
thence North 62 Degrees 10 Minutes 15 Seconds East 107.3 feet
thence North 86 Degrees 08 Minutes 12 Seconds East 127.6 feet
thence North 89 Degrees 23 Minutes 28 Seconds East 132 feet
thence South 88 Degrees 24 Minutes 52 Seconds East 118.2 feet
thence North 78 Degrees 58 Minutes 30 Seconds East 127.3 feet
thence North 77 Degrees 52 Minutes 03 Seconds East 133.1 feet
thence North 78 Degrees 29 Minutes 57 Seconds East 138.8 feet
thence North 82 Degrees 31 Minutes 54 Seconds East 118.8 feet
thence North 84 Degrees 51 Minutes 38 Seconds East 89.9 feet
thence South 83 Degrees 42 Minutes 10 Seconds East 74 feet
thence North 87 Degrees 39 Minutes 28 Seconds East 74.6 feet
thence North 56 Degrees 11 Minutes 33 Seconds East 101.1 feet
thence North 80 Degrees 19 Minutes 35 Seconds East 137.4 feet
thence South 86 Degrees 15 Minutes 24 Seconds East 143.5 feet
thence South 84 Degrees 55 Minutes 11 Seconds East 146.4 feet
thence South 86 Degrees 48 Minutes 31 Seconds East 133.8 feet
thence South 86 Degrees 54 Minutes 17 Seconds East 126.6 feet
thence South 81 Degrees 07 Minutes 13 Seconds East 131.3 feet
thence South 79 Degrees 48 Minutes 03 Seconds East 131.2 feet
thence South 87 Degrees 14 Minutes 02 Seconds East 115.7 feet
thence South 81 Degrees 55 Minutes 07 Seconds East 125.7 feet
thence South 70 Degrees 18 Minutes 14 Seconds East 131.4 feet
thence South 59 Degrees 53 Minutes 38 Seconds East 132.9 feet
thence South 50 Degrees 12 Minutes 10 Seconds East 114.6 feet
thence South 44 Degrees 05 Minutes 08 Seconds East 118.2 feet
thence South 63 Degrees 20 Minutes 09 Seconds East 119.3 feet
thence South 71 Degrees 41 Minutes 14 Seconds East 118.1 feet
thence South 68 Degrees 28 Minutes 50 Seconds East 83.8 feet
thence South 68 Degrees 21 Minutes 47 Seconds East 21.9 feet
thence South 72 Degrees 13 Minutes 35 Seconds East 52.8 feet
thence South 73 Degrees 22 Minutes 06 Seconds East 28.1 feet
thence South 75 Degrees 00 Minutes 08 Seconds East 99.4 feet
thence South 86 Degrees 35 Minutes 07 Seconds East 115.8 feet
thence South 85 Degrees 01 Minutes 02 Seconds East 106.5 feet
thence North 84 Degrees 04 Minutes 36 Seconds East 100.9 feet
thence South 70 Degrees 57 Minutes 53 Seconds East 115.9 feet
thence South 81 Degrees 52 Minutes 45 Seconds East 118.5 feet
thence South 89 Degrees 13 Minutes 08 Seconds East 119.2 feet
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thence North 64 Degrees 18 Minutes 46 Seconds East 105 feet
thence North 39 Degrees 47 Minutes 54 Seconds East 106.5 feet
thence North 53 Degrees 21 Minutes 57 Seconds East 107.5 feet
thence North 89 Degrees 40 Minutes 34 Seconds East 105 feet
thence North 89 Degrees 40 Minutes 34 Seconds East 3 feet
thence North 68 Degrees 48 Minutes 43 Seconds East 85.7 feet
thence North 83 Degrees 27 Minutes 37 Seconds East 100 feet
thence South 71 Degrees 32 Minutes 34 Seconds East 120.3 feet
thence South 48 Degrees 59 Minutes 12 Seconds East 105.4 feet
thence South 48 Degrees 09 Minutes 57 Seconds East 98.3 feet
thence South 77 Degrees 24 Minutes 59 Seconds East 113.1 feet
thence South 81 Degrees 44 Minutes 55 Seconds East 125.5 feet
thence South 83 Degrees 23 Minutes 43 Seconds East 130.6 feet
thence South 82 Degrees 22 Minutes 23 Seconds East 118.6 feet
thence South 85 Degrees 49 Minutes 18 Seconds East 83.6 feet
thence South 86 Degrees 35 Minutes 32 Seconds East 15.1 feet
thence South 82 Degrees 48 Minutes 00 Seconds East 17.5 feet
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thence South 74 Degrees 31 Minutes 16 Seconds East 18.1 feet more or less to **the ending point at:** 38 degrees 49 minutes 11.06 seconds North Latitude and -110 degrees 44 minutes 016.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,857,531.6 feet and Y = 6,739,763.4 feet.